

David E. Patton
Executive Director

Southern District of New York
Jennifer L. Brown
Attorney-in-Charge

April 2, 2020

By ECF

Honorable Alvin K. Hellerstein
United States District Judge
Southern District of New York
500 Pearl Street, Room 1050
New York, New York 10007

Re: United States v. Jose Rojano, 20 Cr. 09 (AKH)

Dear Judge Hellerstein:

I write to respectfully request that the Court set a sentencing date for as soon as the Court is available and conduct the sentencing remotely (Mr. Rojano is incarcerated at the Queens Detention Facility, aka "GEO"). The Government consents to this request.

Mr. Rojano is pending sentence following his guilty plea to one count of illegal reentry. Sentencing was originally scheduled for March 13, 2020, and Mr. Rojano was brought to Court on that date, but because of confusion around the time of the appearance the sentencing did not occur. Sentencing was next scheduled for April 1, 2020, but on March 30 the Court *sua sponte* adjourned that date to June 16, 2020, the currently scheduled date.

Mr. Rojano faces a Zone B Guidelines range of 8 to 14 months and seeks a sentence of time served (now almost 4 months) for the reasons set forth in his sentencing submission of February 27, 2020 (ECF No. 11). I submit that time served was appropriate before the COVID-19 pandemic struck, and is all the more appropriate now given the health crisis in the area jails. Accordingly, I respectfully request an earlier sentencing date for a remote sentencing. (I understand that the Queens Detention Facility is capable of accommodating a remote sentencing.)

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United States District Judge

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Thank you for your attention to this matter.

Sincerely,

/s/ Jonathan Marvinny

Jonathan Marvinny
Assistant Federal Defender
212.417.8792
jonathan_marvinny@fd.org

cc: Kaylan E. Lasky, Esq.
Assistant United States Attorney